

ORDINANCE NO. 412

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY ON APPLICATION FROM FOLSOM INVESTMENTS, CASE #426, BEING LOCATED ON LEDGEMONT LANE NORTH OF KELLER SPRINGS ROAD, AND CONTAINING 25.276 ACRES OF LAND, BEING IN THE WILLIAM LOMAX SURVEY, ABSTRACT NO. 792 AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; FROM "I-1" INDUSTRIAL DISTRICT CLASSIFICATION TO "A" APARTMENT DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, Texas, and the Governing Body of the City of Addison, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given requisite notices by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the area, the City of Addison, Texas, is of the opinion that the said change of zoning on application of Folsom Investments, Case #426, should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Addison so as to give the hereinafter described property the following district classification, to-wit: Apartment District Classification. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

BEING a tract of land out of the William Lomax Survey, Abstract No. 792 situated in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a point of intersection of the north line of Keller Springs Road (a 50 foot right-of-way) with the east line of Addison Road, said point also being the beginning of a curve to the right having a central angle of  $23^{\circ} 23' 35''$  and a radius of 686.30 feet; Thence along said curve 280.21 feet to the end of said curve; Thence N.  $0^{\circ} 13' 00''$  W., 151.51 feet to the POINT OF BEGINNING;

THENCE N  $0^{\circ} 13' 00''$  W., 527.71 feet continuing along the said east line of Addison Road to a point for corner;

THENCE N.  $89^{\circ} 47' 00''$  E., 417.43 feet to a point for corner;

THENCE N.  $0^{\circ} 13' 00''$  W., 208.71 feet to a point for corner;

THENCE N.  $89^{\circ} 47' 00''$  E., 19.26 feet to a point for corner;

THENCE N.  $0^{\circ} 13' 00''$  W., 251.24 feet to a point for corner;

THENCE N.  $89^{\circ} 47' 00''$  E., 330.21 feet to a point for corner;

THENCE S.  $0^{\circ} 18' 01''$  E., 122.91 feet to a point for corner;

THENCE N.  $89^{\circ} 41' 59''$  E., 521.45 feet to a point for corner;

THENCE S.  $0^{\circ} 18' 01''$  E., 499.48 feet to a point for corner;

THENCE S.  $88^{\circ} 34' 50''$  E., 150.01 feet to a point for corner;

THENCE S.  $0^{\circ} 26' 40''$  E., 401.06 feet to a point for corner;

THENCE N. 89° 19' 25" W., 433.71 feet to a point for corner;

THENCE S. 0° 40' 35" W., 70.00 feet to a point for corner;

THENCE N. 89° 19' 25" W., 249.98 feet to a point in a curve to the right running in a northeasterly direction and having a central angle of 11° 10' 16" a radius of 250 feet and a tangent bearing of N. 1° 21' 50" E.;

THENCE along said curve 48.74 feet to the end of said curve, same being the beginning of another curve to the left having a central angle of 11° 38' 44" and a radius of 250 feet;

THENCE along said curve 50.81 feet to the end of said curve;

THENCE S. 89° 47' 00" W., 768.33 feet to the Point of Beginning and containing 25.421 acres of land.

SECTION 2. That the above described property shall be used only in the manner and for the purpose in the Comprehensive Zoning Ordinance of the City as amended herein by the granting of this zoning classification.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.


SECTION 4. That all ordinances of the city in conflict with the provisions of this Ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. Whereas, the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, this the 13<sup>th</sup> day of March, 1979.

  
MAYOR

ATTEST:

  
CITY SECRETARY